

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Resolution ALJ-316  
Administrative Law Judge Division  
\_\_\_\_\_, 2015

**RESOLUTION**

RESOLUTION ALJ-316. Resolves Appeal No. K.15-05-017, the Appeal of Citation No. SED LAX-957 of Joseph Maleh (TCP 29700-B).

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**SUMMARY**

This resolution resolves the appeal of Citation No. LAX-957 issued to Joseph Maleh, TCP 29700-B (Step Up Limousine, LLC), by the California Public Utilities Commission's (Commission) Safety and Enforcement Division (SED) on May 4, 2015. Citation No. LAX-957 issues a fine of \$1,000 for one violation of the Public Utilities Code Section 5397 on April 29, 2015. Parties agreed to a payment plan for the full amount of the citation and requested dismissal of the appeal.

**RESOLUTION OF THE APPEAL**

The Commission regulates charter-party carriers of passengers primarily pursuant to the Passenger Charter-Party Carriers' Act (Pub. Util. Code § 5351, et seq.) Pursuant to Resolution ALJ-187, issued by the Commission on September 22, 2005, SED<sup>1</sup> is authorized to issue citations to various classes of transportation carriers for violation of the Public Utilities Code and/or Commission orders. In turn, a carrier issued such a citation may accept the fine imposed or contest it through a process of appeal under Resolution ALJ-299.<sup>2</sup>

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<sup>1</sup> ALJ-187 confers authority on the Consumer Protection and Safety Division now known as the Safety and Enforcement Division.

<sup>2</sup> The Commission issued Resolution ALJ-299 on June 26, 2014 for application beginning on January 1, 2015.

On April 29, 2015, SED issued Citation LAX-957 for Violations of Public Utilities Code to Joseph Maleh, TCP 29700-B, Step Up Limousine Service, LLC (Step Up). SED cited Mr. Maleh for operating a charter party carrier during suspension of its authority in violation of Pub. Util. Code § 5379. Step Up had been suspended on April 15, 2015, for failure to timely file its annual Report of Gross Operating Revenue for the period of January 1, 2014 to December 31, 2014.

Prior to scheduling a hearing, SED and Appellant negotiated a payment plan for the full amount of the citation in settlement of the instant appeal. Step Up agreed to pay \$1,000 in ten installments between July 15, 2015 and April 15, 2016. Citation Appeal (K.15-05-017), the Appeal of Joseph Maleh, TCP 29700-B from Citation No. LAX-957, should be dismissed because there are no remaining issues for the Commission to resolve.

### **SAFETY**

The Commission has broad authority to regulate charter-party carriers, particularly with regard to safety concerns. (*See for example, Pub. Util. Code § 451, 5382 and 5387.*) The proposed settlement supports the Commission's authority to ensure charter party carriers are not operating during periods of suspension.

### **COMMENTS**

No public review or comment is required for this resolution pursuant to Rule 14.7.

**THEREFORE, IT IS ORDERED** that:

1. The appeal of Joseph Maleh TCP 29700-B (Step Up Limousine, LLC) of Citation No LAX-957 is dismissed with prejudice.
2. K.15-05-017 is closed.

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on \_\_\_\_\_, the following Commissioners voting favorably thereon:

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TIMOTHY J. SULLIVAN  
Executive Director

\*\*\*\*\* SERVICE LIST \*\*\*\*\*

**K1505017 LIST**

Resolves Appeal No. K.15-05-017, the Appeal of Citation No. SED LAX-957  
of Joseph Maleh (TCP 29700-B).

\*\*\*\*\* PARTIES \*\*\*\*\*

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\*\*\*\*\* INFORMATION ONLY \*\*\*\*\*